

Remarks

The following remarks are submitted in response to the Office Action mailed April 20, 2006. Claims 1-3, 19-23, 30, and 32-37 (of which claims 1 and 30 are independent) are pending in this application. The Examiner rejected all claims under 35 U.S.C. 103(a).

Applicants have amended claim 1 to incorporate the subject matter of claim 24, and claim 19 to comply with amendments to claim 1. Applicants have also similarly amended claim 30. Applicants amended claim 37 to correct a typographical error. After a careful review of the cited references, Applicants request favorable reconsideration in view of the following remarks.

I. Response to Rejection of Claims 1-3 and 19-23

Claims 1-3 and 19-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0219932 (Verteuil). To establish a *prima facie* case of obviousness under § 103, the cited references must teach or suggest all the claim limitations. (MPEP § 2142).

Applicants submit Verteuil does not teach or suggest “sending content associated with the designated location to the mobile station once the mobile station is located within a range of the designated location,” and “wherein computing the next time to determine the updated location of the mobile station comprises calculating a percentage of the predefined travel time, wherein the next time to determine the updated location of the mobile station is at least about 50% of the predefined travel time,” as in claim 1.

Verteuil teaches calculating a time when the status of a mobile unit is expected to change by monitoring variables that reflect the movements of the mobile unit, such as distance between the locations, velocity of travel associated with the mobile unit, a direction of travel associated with the mobile unit, expected usage periods associated with the mobile unit, etc. (¶0014).

Applicants submit that Verteuil does not teach or suggest “using a predefined travel time that corresponds to traveling the distance between the current location and the designated location,” as in claim 1.

In addition, Applicants submit that Verteuil does not teach or suggest “wherein the next time to determine the updated location of the mobile station is at least about 50% of the predefined travel time,” as in claim 1. In contrast, Verteuil teaches setting a second location polling time at some point prior to the expected travel time, however, Verteuil does not elaborate upon this discussion. (¶0013).

The Examiner asserted that Verteuil does not teach calculating a percentage of the predefined travel time. However, the Examiner took Official Notice that is it old and well-known in the art to compute the next time by calculating a percentage of the travel time to make convenience for the mobile users. Applicants traverse the Examiner’s contention that it is old or well-known to compute a next time to determine the updated location of the mobile station. Further, Applicants submit that it is not well-known to do so “wherein the next time to determine the updated location of the mobile station is at least about 50% of the predefined travel time,” as in claim 1. The Examiner has provided no documentary evidence to support this point. (MPEP § 2144.03).

Since Verteuil does not teach or suggest all the limitations of claim 1, Verteuil does not render claims 1-3 and 19-23 obvious.

II. Response to Rejection of Claims 24, 30, 32-34 and 37

Claims 24, 30, 32-34 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Verteuil in view of U.S. Patent No. 6,091,956 (Hollenberg). Applicants submit that the combination of Verteuil and Hollenberg does not teach or suggest “if the current location is not

within the range, computing a next time to determine an updated location of the mobile station by estimating a travel time required for the mobile station to travel from the current location to the designated location using at least about 50% of a predefined travel time,” as in claim 30. Verteuil does not teach or suggest these limitations for at least the reasons discussed above with regard to claim 1, and Hollenberg does not make up for the shortcomings of Verteuil.

Hollenberg was cited for sending content to a mobile station once the mobile station is located within a range of the designated location. Applicants submit that Hollenberg, like Verteuil, does not teach the limitations pertaining to computing a next time to determine the location of the mobile station as recited in claim 30. Since the combination of Verteuil and Hollenberg does not teach or suggest all limitations of claim 30, the combination does not render claims 32-34 and 37 obvious.

III. Response to Rejection of Claims 35-36

Claims 35-36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Verteuil in view of Hollenberg and further in view of U.S. Patent Application Publication No. 2002/0111154 (Eldering). Applicants submit that the combination of Verteuil, Hollenberg and Eldering does not teach or suggest “if the current location is not within the range, computing a next time to determine an updated location of the mobile station by estimating a travel time required for the mobile station to travel from the current location to the designated location using at least about 50% of a predefined travel time,” as in claim 30. The combination of Verteuil and Hollenberg does not teach or suggest these limitations for at least the reasons discussed above, and Eldering does not make up for the shortcomings of the combination of Verteuil and Hollenberg.

Eldering was cited for teaching sending content to a mobile station using SMS and WAP messaging. Applicants submit that Eldering, like the combination of Verteuil and Hollenberg,

does not teach the limitations pertaining to computing a next time to determine the location of the mobile station as recited in claim 30. Since the combination of Verteuil, Hollenberg and Eldering does not teach or suggest all limitations of claim 30, the combination does not render claims 35-36 obvious.

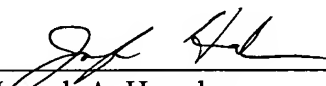
IV. Summary

Applicants respectively request reconsideration of the present claims. The Examiner is invited to call the undersigned at (312) 913-3331 with any questions or comments.

Respectfully submitted,

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